

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GERALD CORNELIUS ELDRIDGE, §
§
Petitioner, §
§
v. § CIVIL ACTION NO. H-05-1847
§
RICK THALER, Director, Texas Department §
of Criminal Justice-Correctional §
Institutions Division, §
§
Respondent. §

**ORDER DENYING MOTION TO RECONSIDER
REQUEST FOR ORDER DIRECTING TDCJ TO ALLOW VIDEOTAPING**

Petitioner Gerald Cornelius Eldridge is a Texas death row inmate. The court has scheduled an evidentiary hearing on Eldridge's claim that he is incompetent to be executed. Eldridge moved for an order allowing him to videotape a psychological examination by his expert. This court denied that motion, noting that Eldridge cited no relevant case law and that Thaler raised security concerns and cited professional guidelines advising against the presence of third parties or electronic recording devices in psychological examinations.

On February 19, 2010, Eldridge filed a motion for reconsideration. The motion noted that this court's order mistakenly stated that Eldridge wanted to videotape testing by Thaler's expert when, in fact, he seeks to tape an examination by his own expert. While Eldridge is correct that this court made this mistake, nothing in his motion for reconsideration alters the basis of the previous Order, including security concerns and evidence that videotaping could raise questions about the validity of the testing.

It is ordered that petitioner's Motion to Reconsider (Docket Entry No. 102) is denied.

SIGNED on April 1, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge